

State of California
AIR RESOURCES BOARD
Executive Order DG-001-A
Distributed Generation Certification of
UTC Fuel Cells, LLC
PureCell™ System Model 200 Fuel Cell

WHEREAS, the Air Resources Board (ARB) was given the authority under California Health and Safety Code section 41514.9 to establish a statewide Distributed Generation (DG) Certification Program to certify electrical generation technologies that are exempt from the permit requirements of air pollution control or air quality management districts;

WHEREAS, this DG Certification does not constitute an air pollution permit or eliminate the responsibility of the end user to comply with all federal, state, and local laws, rules and regulations;

WHEREAS, on November 22, 2002, UTC Fuel Cells, LLC applied for a DG Certification of its phosphoric acid PC-25 Fuel Cell and whose application was deemed complete on December 5, 2002;

WHEREAS, UTC Fuel Cells, LLC, was issued a DG Certification on January 29, 2003, for its PC-25 Fuel Cell;

WHEREAS, on December 21, 2005, UTC Fuel Cells, LLC applied for a modification to its DG Certification DG-001 for the purpose of modifying the model name to Model 200;

WHEREAS, the model name change was requested in order to keep with a re-branding effort at UTC Fuel Cells, LLC and its affiliated entity, UTC Power, LLC;

WHEREAS, UTC Fuel Cells, LLC has represented that the PureCell™ System Model 200 Fuel Cell described in their application for modification operates with the parameters set out in the application for certification dated November 22, 2002 and can meet the requirements set out in DG Certification DG-001;

WHEREAS, I find that the Applicant, UTC Fuel Cells, LLC, has met the requirements specified in article 3, title 17, CCR, and has satisfactorily demonstrated that the PureCell™ System Model 200 meets the 2007 DG Certification emission standards;

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-001-A, executed at Sacramento, California on May 24, 2006, is hereby granted. This DG Certification:

- 1) is subject to all conditions and requirements of the ARB's DG Certification Program, article 3, title 17, CCR, including the provisions relating to inspection, denial, suspension, and revocation;

- 2) shall be void if any manufacturer's modification results in an increase in emissions or changes the efficiency or operating conditions of a model, such that the model no longer meets the 2007 DG Certification emission standards; and
- 3) shall expire on January 29, 2007.

Catherine Witherspoon
Executive Officer
by

/S/

Robert D. Fletcher, Chief
Stationary Source Division